

United States Bankruptcy Court

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

For the NORTHERN District of IOWA

SEP 18 1990

IN RE: RUSSELL LYNN BELL
a/k/a Russ Bell, a/k/a Rusty Bell,

BARBARA A. EVERLY, CLERK

RUSSELL LYNN BELL, Debtor.
a/k/a Russ Bell, a/k/a Rusty Plaintiff
v. Bell,

Case No. X90-00472F

MANUFACTURERS BANK AND TRUST
COMPANY and GREENE COUNTY Defendants
CLERK OF COURT,

Adversary Proceeding No. X90-0103F

JUDGMENT

- ☐ This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

- ☒ The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED:

that plaintiff's Second Motion for Default Judgment is granted.

IT IS FURTHER ORDERED that the Greene County Clerk of Court shall deliver to the plaintiff Russell Lynn Bell the sum of \$614.80.

IT IS FURTHER ORDERED that any claim of Manufacturers Bank and Trust Company to the garnished funds is inferior to that of the plaintiff and such interest is avoided.



copies mailed with order
9/18/90, *Ln*

Vol. II
Page 236

BARBARA A. EVERLY

Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

9-18-90

Larry McElhenny

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

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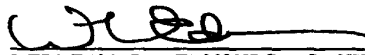
IN RE:)	BANKRUPTCY NO. X-90-00472-F
)	
RUSSELL LYNN BELL)	ADVERSARY NO. X-90-0103-F
a/k/a Russ Bell a/k/a Rusty Bell,)	
Debtor,)	
-----)	
RUSSELL LYNN BELL)	
a/k/a Russ Bell a/k/a Rusty Bell,)	
Plaintiff,)	
vs.)	ORDER GRANTING MOTION
)	FOR DEFAULT
MANUFACTURERS BANK AND)	
TRUST COMPANY and GREENE)	
COUNTY CLERK OF COURT,)	
Defendants.)	

THIS MATTER comes before the Court on Plaintiff's Second Motion For Default in this adversary proceeding. Having examined the Complaint, the Second Motion For Default, and original Motion For Default, Proofs of Service and Affidavit of Plaintiff's counsel, the Court FINDS that the Complaint was filed June 13, 1990, that all Defendants have been timely and properly served with Summons and Notice with attached Complaint, the time for answer or responsive motion has passed and no one of the Defendants has filed answer or responsive motion and are therefore in default pursuant to the provisions of Bankruptcy Rule 7055. The Court FURTHER FINDS, for Defendants' failure to answer, that the allegations of the Complaint are true and that the Plaintiff is entitled to the relief requested in his Complaint. The Court FURTHER FINDS that none of the Defendants are infants or incompetent persons or within the protection of the Soldiers' and Sailors' Civil Relief Act of 1940.

IT IS ORDERED that Plaintiff's Second Motion For Default Judgment is granted. Judgment shall enter that the Greene County Clerk of Court

shall deliver to the Plaintiff Russell Lynn Bell the sum of \$614.80 and said judgment shall further provide that any claim of Manufacturers Bank and Trust Company to the garnished funds is inferior to that of the Plaintiff and such interest is avoided.

SO ORDERED ON THIS 17th DAY OF September, 1990.



WILLIAM L. EDMONDS, BANKRUPTCY JUDGE

Order prepared by:

David A. Sergeant
Attorney for Debtor

cc: David A. Sergeant
Habbo G. Fokkena
U.S. Trustee
Greene County Clerk of Court
Manufacturers Bank and Trust Company

on 9-18, 1990, *lm*